### **REMARKS**

Reconsideration and allowance of the pending claims in the application are requested.

Claims 45-61 are pending in the case.

Applicant responds to the indicated paragraphs of the Office Actions, as follows:

### Regarding Paragraph 1:

Applicant has amended the specification to describe the parent and related patent application information. The amendment of the specification is believed to clarify the priority information for the application.

Withdrawal of the Examiner's objection to the priority information is requested.

### Regarding Paragraph 2:

Claims 45-61 have been canceled and replaced by New Claims 62-77, which end with the correct punctuation.

#### Regarding Paragraphs 3&4:

Figure 5 has been amended to replace reference character "41" with reference character "11" identifying the speech recognition call control database, as described in the specification at page 26, line 12.

Applicant has provided a Replacement Sheet, per the requirements of 37 CFR 1.84(c). Withdrawal of the objection to the Drawing is requested.

# Regarding Paragraphs 5&6:

Claims 45-61 have been canceled, and replaced by Claims 62-77, which follow apparatus claims 1-15 in USP 5,878,113, the parent application cited in the priority information. Claims 62 – 77 written in method format are believed patentable over the prior art on the same basis as the apparatus claims 1 – 15 in USP 5,878,113.

Entry of claims 62-77 and allowance thereof are requested.

## Regarding Paragraph 8:

USP 5,506,838; 5,546,452, and 5,590,181, prior art made of record and not relied upon were considered and distinguished in connection with the prosecution of Serial No. 08/837,830 (now USP 5,878,113) and Serial 09/041,439 (now USP 6,430,286). The additional prior art USP 5,089,954; 5,774,530 and 5,812,639 made of record and not relied upon has been reviewed and deemed cumulative.

### **CONCLUSION**:

Having replaced claims 45-61 with new claims 62-77; amended the specification to provide priority information; amended the drawing to comply with 37 CFR 1.184(c), and considered the prior art of record but not relied upon, Applicant requests entry of the amendment, allowance of claims and passage to issue of the case.

### **AUTHORIZATION**

The Commissioner is hereby authorized to charge any additional fees which may be required for the timely consideration of this amendment under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account No. 13-4503, Order No. 2455-4074US5.

Respectfully submitted,

MORGAN & FINNEGAN, L.L.P.

Atty. Dkt.: 2455-4074US5

Dated December 14, 2004

By:

Joseph C. Redmond, Jr.

Joseph C. Redmond, Jr. Registration No. <u>18,753</u> 202-857-7887 – Telephone 202-857-7929 – Facsimile

#### **CORRESPONDENCE ADDRESS:**

Morgan & Finnegan LLP. 3 World Financial Center New York, NY 10281-2101

# **IN THE DRAWINGS**:

Figure 5 has been corrected to show the call control database as element 11, not element 41, as shown in the attached Replacement Sheet.